

Message

From: Chester, Amy [Chester.Amy@epa.gov]
Sent: 11/19/2021 4:40:14 PM
To: Everett, Adolph [Everett.Adolph@epa.gov]
CC: Park, Andy [Park.Andy@epa.gov]; Kavvadias, Eleni [kavvadias.eleni@epa.gov]
Subject: RE: Chemours Chamber Works Solar- 11/18/21 Meeting Follow-up

Great – It looks like the solar issues Eleni raised are being appropriately handled

thanks

From: Everett, Adolph <Everett.Adolph@epa.gov>
Sent: Friday, November 19, 2021 11:01 AM
To: Chester, Amy <Chester.Amy@epa.gov>
Cc: Park, Andy <Park.Andy@epa.gov>; Kavvadias, Eleni <kavvadias.eleni@epa.gov>
Subject: FW: Chemours Chamber Works Solar- 11/18/21 Meeting Follow-up

fyi

From: Nolan, Katherine [DEP] <Katherine.Nolan@dep.nj.gov>
Sent: Friday, November 19, 2021 10:49 AM
To: Northey, Scott <SCOTT.T.NORTHHEY@chemours.com>; von Brockdorff, Eric <ERIC.VON-BROCKDORFF@chemours.com>; Hartten, Andrew S <Andrew.S.Hartten@chemours.com>
Cc: Dudar, Helen <helen.dudar@dep.nj.gov>; Allan Motter <allan.motter@dep.nj.gov>; Schick, Kevin [DEP] <Kevin.Schick@dep.nj.gov>; Gerchman, Michael [DEP] <Michael.Gerchman@dep.nj.gov>; Fontana, Anthony [DEP] <Anthony.Fontana@dep.nj.gov>; Thein, Jeff [DEP] <Jeff.Thein@dep.nj.gov>; Breder, Eric [DEP] <Eric.Breder@dep.nj.gov>; August, Jessica [DEP] <Jessica.August@dep.nj.gov>; Scarvalli, James [DEP] <James.Scarvalli@dep.nj.gov>; Kavvadias, Eleni <kavvadias.eleni@epa.gov>; Corleto, Joseph [DEP] <Joseph.Corleto@dep.nj.gov>; Brunatti, Megan [DEP] <Megan.Brunatti@dep.nj.gov>; Pepe, David [DEP] <David.Pepe@dep.nj.gov>; Carter, Ryan [DEP] <Ryan.Carter@dep.nj.gov>; Mankbadi, Michael <michael.mankbadi@dep.nj.gov>; Everett, Adolph <Everett.Adolph@epa.gov>; Park, Andy <Park.Andy@epa.gov>; Steve Maybury@dep.nj.gov
Subject: Chemours Chamber Works Solar- 11/18/21 Meeting Follow-up

Good Morning, it was a pleasure to meet with you yesterday .

If you wish to have an additional follow-up meetings, please let our office know and we will coordinate and schedule the meeting accordingly. If you would like to work with the programs directly, we just ask that you keep us copied on any correspondence so we may update our records.

To close out this email, below is a courtesy conceptual summary of possible permits and action items this project may require (but not limited to): *** this is neither a comprehensive nor a technical summary ***

SRP: Helen Dudar (Helen.Dudar@dep.nj.gov), Allan Motter (Allan.Motter@dep.nj.gov), Kevin Schick (Kevin.Schick@dep.nj.gov).

- SRP has concerns with the proposed solar array, primarily with how the proposed project may impact the ability to continue investigating the soil and groundwater contamination attributed to Landfill A. This concern includes the PFAS contamination attributed to the site. With the exception of groundwater sampling, these areas have not been investigated for PFAS. Both likely received PFAS waste.
- Further discussions are needed with SRP & EPA.

Solid Waste: Anthony Fontana (Anthony.Fontana@dep.nj.gov) and Michael Gerchman (Michael.Gerchman@dep.nj.gov)

- Landfill "A" has a temporary cap and the landfill will need to be properly closed.
- In past BPU incentive programs, Landfills are required to be properly closed in order to construct solar array's and receive BPU credits.
- Further discussions needed regarding alternate closure/cover plans.

Land Resource Protection: Jeff Thein (Jeff.Thein@dep.nj.gov) and Eric Breder (Eric.Breder@dep.nj.gov)

- Recommended Letter of Interpretation and FHA verification
- If the project lies outside of the CAFRA area and Waterfront Development (WFD) area then any proposed work within a regulated area described at N.J.A.C. 7:13-2.3 will require a Flood Hazard Area (FHA) Permit. If the project lies entirely within the CAFRA area and/or WFD area then no FHA permit will be required.
- It appears that due to previous development on the site any work proposed with this project will meet the definition of a major development pursuant to N.J.A.C. 7:8-1.2. Therefore any proposed disturbance or impervious surface/regulated motor vehicle surface will trigger the Stormwater Rules, N.J.A.C. 7:8, the project will need to be in compliance with the Stormwater Rules.
- SRP requirements will have to be addressed before LRP can issue permits.

Bureau of Climate Change and Clean Energy: Jessica August (Jessica.August@dep.nj.gov)

- According to our 2017 Solar Siting Analysis, the proposed solar array is located on "Industrial, Urban land" which is considered 'Preferred'.
- Please note that New Jersey is currently undergoing a solar transition. The project may be eligible under the Interim Incentive Program specifically for subsection t projects until the Competitive Solicitation has been established.
- BPU should be consulted for more information on the Solar Successor Program and future incentives.

Air Compliance & Enforcement: James Scarvalli (James.Scarvalli@dep.nj.gov)

- N.J.A.C. 7:27-5 prohibits offsite impact, including dust and/or odor.
- N.J.A.C. 7:27-8(c) lists the sources that need an air permit. If there is any venting for a landfill or if there is site remediation activities that would result in air emissions, then an air permit may be necessary.

Division of Fish and Wildlife: Joe Corleto (joseph.corleto@dep.nj.gov)

- According to Landscapes Project (v3.3), Block 185, Lot 1 contains no habitat valued at Rank 3, 4, or 5. The DFW would concur based on the documents reviewed and the Scope of Work, the project is anticipated to have little to no effect on faunal threatened/endangered species or designated critical habitat.

NJPDES Stormwater:

- NJPDES Stormwater was not able to attend the meeting but provided the following comments:
- Construction projects that disturb 1 acre or more of land, or less than 1 acre but are part of a larger common plan of development that is greater than 1 acre, are required to obtain coverage under the Stormwater Construction General Permit (5G3). Applicants must first obtain certification of their soil erosion and sediment control plan (251 plan) from their local soil conservation district office. Upon certification, the district office will provide the applicant with two codes process (SCD certification code and 251 identification code) for use in the DEP online portal system application.

Should circumstances or conditions be or become other than as set forth in the information that was recently provided to the NJDEP, the comments and regulatory requirements provided above are subject to change and may no longer hold true. Statements made within this email are not indicative that the NJDEP has made any decisions on whether the proposed project will be permitted. OPPN looks forward to working with you on the proposed project.

If you have any questions or concerns, please let me know.

Katie Nolan

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